

FOR THE COMMANDER:
ADVICE FOR THE SOLDIER RENTING A VEHICLE ON
GOVERNMENT BUSINESS

1. Rent a vehicle from a rental car agency with whom the government contracts. These agencies were formally called "MTMC" contractors. MTMC has been redesignated as the military Surface Deployment and Distribution Command (SDDC). Call the rental car agency yourself to ensure that you are renting from an SDDC contractor and that the particular vehicle rented is covered under the SDDC agreement. Some carriers may participate in the SDDC program, but they do not cover for SUVs or 15 passenger vans.

2. When you pick up the rental car, show orders and your government VISA card to the rental car company. Make sure you identify yourself as a DOD member on TDY. Pay for the rental car with your government credit card. Before you leave with the vehicle, be sure you have given the rental agency information on how to contact you.

3. If you get in an accident, call the police and then notify VISA immediately because they will pay for damage to your rental car if VISA's requirements are met. The requirements are:

1. Notify Bank of America via (800) VISA 911 (outside the U.S., call collect at (410) 581-9994 24 hours a day/7 days a week) within 20 days of the date of loss. If this is done, and a claim form, which Bank of America will send, is returned within 90 days from the date of loss, VISA covers all damages (physical damage to and theft of the rental vehicle, valid loss-of use charges and towing charges).

2. The renter must have initiated and completed the transaction on his government VISA, declined the car rental company's collision damage waiver (CDW/LDW) or similar coverage, the vehicle may not have been rented for a period of more than 30 days (back to back rentals are added together and you cannot avoid this by splitting the rental period), the vehicle must be a passenger automobile, minivan, or sport utility (some exceptions apply), and was not rented in Israel, Jamaica or Ireland.

4. After notifying VISA, immediately call the SDDC rental car agency to notify them of the accident and give them your contact information again because SDDC rental agency may pay for the damaged rental car and the property damage and personal injury of other persons involved in the accident. SDDC rental car agencies cover not only damage to the rental car, but also personal injury, death and property loss of other persons. Under a SDDC agreement, the SDDC rental agency is primarily liable to injured third parties for the first \$25,000 in property damage and \$100,000 per person, \$300,000 per

incident in personal injury or wrongful death, so long as the government driver is acting within the scope of employment.

5. If the rental car damage resulted from an accident caused by the negligence of the renter and there is no coverage under either the Government VISA or the SDDC agreement, then the renter's unit TDY funds are used to pay the claim. Loss of use is not payable under the SDDC Agreement (Para 9C of SDDC agreement).

6. Summary:

a. Rental car damage is covered under the VISA or SDDC agreement, or the renter's unit TDY funds will pay for the damage. Damage to another vehicle involved in the incident is covered under the SDDC agreement to certain limits. The renter must ensure that VISA or SDDC has your unit address and telephone number. Loss of use is not payable.

b. Another party's vehicle damage –the SDDC rental agency is primarily liable to injured third parties for the first \$25,000 in property damage is damaged by a tort. The government will pay meritorious third party claims exceeding \$25,000.00.

c. Personal injury to third persons is covered under the SDDC agreement to certain limits. An injured third party may file a claim against the United States at the Office of the Staff Judge Advocate's Claims Office. The Claims Office will hold the claim in abeyance pending outcome of the claim with the rental agency if we believe it can settle for the policy limits. Injured persons who fail to pursue the rental agency have failed to mitigate their damages. If they wait too long to file a claim with the U.S. and the rental agency either denies their claim or their damages exceed the policy limit, they may be time-barred from filing with the government. Third party claims from injured parties (IP) are covered by the \$100,000 per person, \$300,000 per incident liability coverage under the SDDC rental contract. In all cases, the IP may file against the government. Meritorious claims third party claims may be paid if they exceed policy limits. The Claims Office will hold the claim in abeyance pending outcome of the claim with the rental agency if we believe the claim can settle for the policy limits. IPs who fail to pursue the rental agency have failed to mitigate their damages. If they wait too long to file a claim with the U.S. and the rental agency either denies their claim or their damages exceed the policy limit, they may be time-barred from filing with us. The US Army Claims Service will determine if an exception to the contract claim bar should be made or that the claim be considered under the MCA as a bailment.

7. SDDC site:

- General info.: <http://www.mtmc.army.mil/>

- Car Rental Program: <http://www.mtmc.army.mil/frontDoor/0,1865,OID=3--215-219--219,00.html>

TDY RENTAL CAR PROCEDURE

Keep this paper with you at all times while you are TDY.

† When reserving and paying for your vehicle, use your official Bank of America VISA government travel card.

† When renting your car, decline any insurance or collision damage waiver (LDW /CDW) offered by the rental agency. Ensure the rental agency understands that you are renting the car for official government business. Make sure the particular vehicle you rent is covered under a military Surface Deployment and Distribution Command (SDDC) contract with the rental agency.

IF YOU ARE INVOLVED IN AN ACCIDENT:

† Immediately notify local law enforcement and the rental agency. Under some state laws, failure to report accidents may result in you being charged with the repair costs.

† Within 20 days of the accident, call the VISA rental insurance program at 1-800-VISA 911 (1-800-847-2911), report the accident, and request accident claim forms. Outside the US, call VISA collect at 1-410-902-8011.

† Within 90 days, these forms must be filed to VISA.

† FAILURE TO FOLLOW THESE PROCEDURES WILL RESULT IN PAYMENT FROM UNIT TDY FUNDS AND MAY RESULT IN ADVERSE ACTION BY YOUR CHAIN OF COMMAND.

† Questions? Call the Fort Jackson Claims Office at (803) 751-4287